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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/597,704	06/16/2000	Paul A. Voois	8X8S.249PA	3460
40581 7590 09/28/2010 CRAWFORD MAUNU PLLC 1150 NORTHLAND DRIVE, SUITE 100 ST. PAUL, MN 55120			EXAMINER SHINGLES, KRISTIE D	
			ART UNIT 2444	PAPER NUMBER
			MAIL DATE 09/28/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/597,704

**Applicant(s)**

VOOIS ET AL.

**Examiner**

KRISTIE D. SHINGLES

**Art Unit**

2444

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 July 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

Claims 1-27 are pending examination.

**Response to Arguments**

**I.** In view of the Appeal Brief filed on 7/7/2010, PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is a non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendment, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

**II.** Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

**Claim Rejections - 35 USC § 102**

**III.** The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**IV. Claims 15-19 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by *Nelson et al* (USPN 6,628,644).**

a. **Per claim 15**, *Nelson et al* teach a user-programmable communications arrangement comprising:

- a user-interface device having a display, the device being programmed to provide IP telephony communications configuration information to a user via the display and to communicate IP telephony communications configuration selections from the user to a CPU (*Figures 3 and 6, col.1 line 47-col.2 line 6, col.6 line 26-col.7 line 65—user interface display for providing visual and selectable IP telephony configuration options*); and
- a programmable CPU communicatively coupled to the user interface device and having an OOP interface coupled to an IP telephony communications link, the CPU being programmed to receive the IP telephony user communications configuration selections from the user-interface device and in response to the received selections, programmably configure selected IP telephony devices of an IP telephony communications system via the IP telephony communications link (*Figure 7, col.3 line 6-col.4 line 20, col.7 line 66-col.9 line 3—programmable controller responsive to user selected IP telephony options for programming the call manager via IP telephony communications link with options for the plurality of IP telephony devices*).

b. **Per claim 16**, *Nelson et al* teach the user-programmable communications arrangement of claim 15, wherein the CPU is programmed to control the scope of IP telephony communications configuration selections that can be made by a particular user (*col.7 line 66-col.9 line 34*).

c. **Per claim 17**, *Nelson et al* teach the user-programmable communications arrangement of claim 15, wherein the IP telephony system includes a memory storage device

having user-access configuration data, wherein the CPU receives the configuration data for controlling the scope of configuration selections that can be made by a particular user (*col.6 line 61-col.8 line 15, col.8 lines 48-56*).

d. **Per claim 18**, *Nelson et al* teach the user-programmable communications controller of claim 17, wherein the memory storage device is programmed to send display information to the user-interface device using OOP, the display information including available IP telephony communications selections (*col.9 lines 4-51*).

e. **Per Claim 19**, *Nelson et al* teach the user-programmable communications controller of claim 15, wherein the user-interface device communication the configuration selections using the OOP (*col.7 line 20-col.8 line 26, col.9 lines 4-51*).

f. **Per claim 26**, *Nelson et al* teach the user-programmable communications arrangement of claim 15, wherein the CPU is programmed to control selected functions of selected IP telephony devices of an IP telephony communications system by configuring a plurality of IP telephony devices (*col.3 lines 6-33, col.3 line 66-col.4 line 37, col.6 line 26-col.7 line 31*).

### **Claim Rejections - 35 USC § 103**

V. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**VI. Claims 1-14, 20-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fandrianto et al (US 7,006,455) in view of Nelson et al (US 6,628,644).**

a. **Per claim 1**, *Fandrianto et al* teach for use in a IP telephony system in which a control center is communicatively coupled to a plurality of IP telephony devices, a user-programmable communications arrangement comprising:

- a user interface to display IP telephony options for at least one of: user control of a IP telephony device, office telephone administration control of a plurality of telephony devices, and system administrator control of telephony system configuration (*col.3 lines 33-67, col.4 lines 36-57, col.5 lines 36-53—user interface to display IP telephony options*); and
- a programmable controller programmed to, responsive to a user selecting one of the options, to program the control center and a computer processor circuit at each of the plurality of IP telephony devices and to control communications between the control center and the plurality of IP telephony devices (*Figure 8, col.6 lines 25-66, col.7 line 66-col.9 line 16, col.9 line 61-col.10 line 11—programmable controller responsive to user selected IP telephony options for programming and controlling the conference server with options for the plurality of conferenced IP telephony devices*).

*Fandrianto et al* teach a user interface to display selectable IP telephony operating, options and call features (*col.4 line 45-col.5 line 64*), yet *Nelson et al* explicitly teach a user interface to display selectable IP telephony configuration options (*Figures 3, 6 and 7, col.3 lines 13-20, col.7 line 32-col.9 lines 62*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of *Fandrianto et al* with *Nelson et al* by providing a user interface that displays the IP telephony configuration options available to the user in order to efficiently allow user-friendly configuration and programming input on the IP telephone device.

b. **Claim 20** contains limitations that are substantially equivalent to claim 1, and is therefore rejected under the same basis.

c. **Per claim 2**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach wherein the programmable controller is programmed, in response to configuration options received from the user interface, communicate programming data to an IP telephony device to program the computer processor circuit at the IP telephony device to respond to an incoming call by announcing via the display, the call announce being effected without overtaking currently-running program applications at the IP telephony device, and wherein at least the user interface is a part of a programmed computer (*col.4 lines 45-57, col.5 lines 54-67; Nelson et al—col.7 line 32-col.8 line 26*).

d. **Claim 25** is substantially similar to claim 2 and is therefore rejected under the same basis.

e. **Per claim 3**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 2, *Fandrianto et al* further teach wherein the call announce is effected using a locally-installed OOP applet that runs in the background of the computer (*col.4 lines 45-57, col.5 lines 54-67, col.10 lines 62-66*).

f. **Per claim 4**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 2, *Fandrianto et al* further teach wherein the call announce displays user control options including at least one of: caller ID, speaker phone, answer, forward to voicemail, hold, and call termination (*col.4 lines 45-57, col.5 lines 54-67, col.6 line 25-col.7 line 3; Nelson et al—col.3 lines 6-20, col.7 line 32-50*).

g. **Per claim 5**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach wherein the user

interface includes a graphic user interface (GUI) (*col.3 lines 45-49, col.4 lines 45-57; Nelson et al—col.1 lines 46-60*).

h. **Per claim 6**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach wherein the computer includes one of the plurality of IP telephony devices (*col.3 lines 50-67; Nelson et al—col.3 lines 6-67*).

i. **Per claim 7**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach wherein the controller is programmed to access personal contact information (*col.5 lines 20-25, col.5 line 36-col.6 line 34, col.7 line 66-col.8 line 44; Nelson et al—col.5 line 32-col.6 line 43*).

j. **Per claim 8**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 7, *Fandrianto et al* further teach wherein the personal contact information is arranged in a searchable database accessible by the controller, the database being accessible via user-defined shuffle search statements (*col.9 line 61-col.10 line 11*).

k. **Per claim 9**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach wherein the controller is programmed to provide a control interface for system administration control of an IP telephony network, the interface being programmed to provide at least one of: IP telephony system configuration and system status information (*col.3 lines 45-49, col.4 lines 45-57; Nelson et al—Figures 3, 6 and 7, col.3 lines 13-20, col.7 line 32-col.9 line 62*).

l. **Per claim 10**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 9, *Fandrianto et al* further teach wherein the IP telephony



system status information includes at least one of: IP address assignment information for telephony devices, user-access security control level settings, current telephony device hardware settings, display settings for the controller, and telephony device location information (*col.5 lines 15-25, col.5 line 54-col.6 line 24, col.7 line 54-col.8 line 9; Nelson et al—col. 6 lines 26-43*).

m. **Per claim 11**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 9, *Fandrianto et al* further teach wherein the controller is programmed to control at least one of: telephony device address assignment, user-access permissions, system report generation, display settings for the controller, voice mail parameters, IP telephony device hardware configuration, system backups, call routing protocol, call accounting, email configuration settings and call logging (*col.5 lines 15-25, col.5 line 54-col.6 line 24, col.7 line 54-col.8 line 9; Nelson et al—col. 6 lines 26-43*).

n. **Per claim 12**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach wherein the controller is programmed to configure the control center and the plurality of IP telephony devices using OOP for providing the user-selected IP telephony configuration information to the control center (*Figure 8, col.6 lines 25-66, col.7 line 66-col.9 line 16, col.9 line 61-col.10 line 11; Nelson et al—col.3 lines 13-20, col.7 line 32-col.9 lines 62*).

o. **Per claim 13**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach wherein user control of an IP telephony device includes active call control and call receive settings including at least one of: speaker phone activation, call answer, call forward to voicemail, call forward to another number or IP telephony address, call hold, call termination, display of caller ID, speed dial, call

transfer, redial, voicemail forwarding, voicemail messaging, multi-party calling call muting, video control, and remote access control for remote access to telephony services (*col.4 lines 45-57, col.5 lines 54-67, col.6 line 25-col.7 line 3; Nelson et al—col.3 lines 6-20, col.7 line 32-50*).

p. **Per claim 14**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach wherein each of the plurality of IP telephony devices includes a CPU, and wherein the user interface and controller are further programmed to: provide user-selected email configuration information to a control center communicatively coupled to each CPU; display a control interface for at least one of: user control of email configuration, office administration control of the plurality of CPUs, and system administrator control of email system configuration; and the email configuration information being selected to control communications between, and to programmably configure, the control center and the plurality of CPUs (*col.3 lines 45-49, col.4 lines 36-57; Nelson et al—Figures 3, 6 and 7, col.3 lines 13-20, col.7 line 32-col.9 lines 62*).

q. **Per claim 21**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications control system of claim 20, *Fandrianto et al* further teach wherein the scope of communications control selections that can be made at the computer station is controlled by the programmable communications server based on a predefined user-access permission level (*col.5 lines 20-25, col.5 line 36-col.6 line 34, col.7 line 66-col.8 line 44; Nelson et al—col.5 line 32-col.6 line 43*).

r. **Claim 27** is substantially similar to claim 21 and is therefore rejected under the same basis.

s. **Per claim 22**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications control system of claim 20, *Fandrianto et al* further teach the system further comprising a plurality of computer stations, wherein programmable communications server is programmed to receive communications control selections from each of the plurality of computer stations (*Figure 8, col.9 line 61-col.10 line 34*).

t. **Per claim 23**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach the arrangement further including the control center, wherein the programmable controller is programmed to configure the control center by providing configuration information to control interactions between the control center and each of the plurality of IP telephony devices, the plurality of IP telephony devices being remote from the programmable controller (*Figure 8, col.3 lines 45-49, col.4 lines 36-57; Nelson et al—Figures 3, 6 and 7, col.3 lines 13-20, col.7 line 32-col.9 lines 62*).

u. **Per claim 24**, *Fandrianto et al* with *Nelson et al* teach the user-programmable communications arrangement of claim 1, *Fandrianto et al* further teach the arrangement further including the control center, wherein the programmable controller is programmed to configure each of the plurality of IP telephony devices via communications with the control center (*Figure 8, col.9 line 61-col.10 line 34; Nelson et al—Figures 1 and 8*).

### Conclusion

**VII.** The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure: Elliott et al (6754181), Nixon et al (6868538), Wang et al (7200683).

**Examiner's Note:** Examiner has cited particular columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the cited passages as taught by the prior art or relied upon by the examiner. Should Applicant amend the claims of the claimed invention, it is respectfully requested that Applicant clearly indicate the portion(s) of Applicant's specification that support the amended claim language for ascertaining the metes and bounds of Applicant's claimed invention.

**VIII.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTIE D. SHINGLES whose telephone number is (571)272-3888. The examiner can normally be reached on Monday 9:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kristie D. Shingles/  
Examiner, Art Unit 2444